

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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In Re: PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE  
LITIGATION

: MDL NO. 1456

: Master File No. 01-CV-12257-PBS

THIS DOCUMENT RELATES TO:  
(All Actions)

: Judge Patti B. Saris  
:  
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MOTION FOR ENTRY OF CASE MANAGEMENT ORDER NO. 9

Pursuant to the Court's Order dated September 18, 2003 (attached hereto as Exhibit A), the Defendants in the above-captioned action respectfully move this Court for the entry of proposed Case Management Order No. 9 (attached hereto as Exhibit B). Plaintiffs have assented to this motion.

Respectfully Submitted,

ON BEHALF OF THE DEFENDANTS

By: Lucy Fowler

DATED: November 7, 2003

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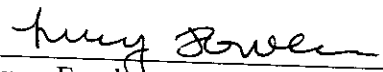
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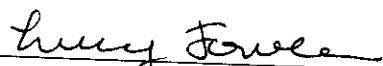
**CERTIFICATE OF SERVICE**

I certify that on November 7, 2003, a true and correct copy of the foregoing Motion for Entry of Case Management Order No. 9 was served on all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2 by sending a copy to Verilaw Technologies for posting and notification to all parties.

  
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Lucy Fowler

**CERTIFICATION PURSUANT TO LOCAL RULE 7.1**

Pursuant to Local Rule 7.1(A)(2), the undersigned certifies that counsel for defendants conferred with counsel for plaintiff on this motion, and that counsel for plaintiff assented to the motion.

  
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Lucy Fowler